

**HOUSE JOURNAL
61ST LEGISLATURE
SEVENTIETH LEGISLATIVE DAY**

Helena, Montana
March 30, 2009

House Chambers
State Capitol

House convened at 12:00 p.m. Mr. Speaker in the Chair. Invocation by Rep. P. Beck. Pledge of Allegiance to the Flag.

Roll Call. All members present except Representatives Belcourt, Pease-Lopez, excused. Quorum present.

Mr. Speaker introduced the pages for the week Cameron Carpenter (Great Falls), Tyler Christensen (Sidney), McKenzi Dundas (Billings), Jaelyn Eagle Tail (Crow Agency), Cody Harris (Great Falls), Lena Heuscher (Choteau), Tyrel Obrect (Turner), Dylan Trevor (Helena).

Mr. Speaker announced that a former Representative Jerome Anderson recently passed away and further information about the funeral will be announced later this week.

REPORTS OF STANDING COMMITTEES

HUMAN SERVICES (Becker, Chairman):
SB 442, be amended as follows:

3/30/2009

1. Page 2, line 16.

Strike: "(1)"

2. Page 2, line 19.

Strike: "(a)"

Insert: "(1)"

Renumber: subsequent subsections

3. Page 2, line 24.

Following: "project;"

Strike: "and"

4. Page 2, line 25.

Following: "employees"

Insert: "; and

(5) by groups or entities that offer classes for babysitters"

5. Page 2, line 26 through line 28.

Strike: subsection (2) in its entirety

6. Page 3, line 15 through line 17.

Strike: section 4 in its entirety

Renumber: subsequent section

And, as amended, be concurred in. Report adopted.

NATURAL RESOURCES (Milburn, Chairman):
HB 678, introduced bill, be amended as follows:

3/30/2009

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1. Page 5, line 26.

Strike: "all deficiencies"

Insert: "information necessary to make the application complete"

2. Page 6, line 9 through line 10.

Strike: "regarding the" on line 9 through "deficiencies" on line 10

3. Page 6, line 12.

Strike: "regarding the deficiencies"

4. Page 7, line 6.

Following: "application."

Insert: "Within this period, the department may hold a public meeting at its discretion. At the end of this period, unless a public meeting is required pursuant to subsection (9), the department shall notify the applicant as to whether or not the application is acceptable pursuant to subsection (10) or that the application requires an extended review pursuant to [section 8]."

5. Page 7, line 7.

Strike: "Within"

Insert: "If a public meeting is required pursuant to subsection (9), within"

6. Page 7, line 9.

Strike: ", if necessary, pursuant to subsection (9)"

7. Page 7, line 12 through line 13.

Strike: "The department" on line 12 through "discretion." on line 13

8. Page 7, line 17.

Strike: "If a public meeting will be held,"

Insert: "To provide notice for a public meeting,"

9. Page 7, line 24.

Strike: "30"

Insert: "10 working"

10. Page 8, line 8.

Strike: ":",

11. Page 8, line 9.

Strike: "(i)"

12. Page 8, line 10 through line 11.

Strike: "; or" on line 10 through "plant" on line 11

13. Page 8.

Following: line 11

Insert: "(c) For amendment applications not subject to the public notice and public meeting requirements of this section, the department shall, within 45 days of notifying the applicant that the application is complete, notify the applicant as to whether or not the application is acceptable pursuant to subsection (10) or that the

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application requires an extended review pursuant to [section 8]."

And, as amended, do pass. Report adopted.

SB 131, be amended as follows:

1. Page 1, line 16.

Strike: "2011"

Insert: "2012"

2. Page 1, line 24 through line 26.

Strike: "or if the department" on line 24 through "revision" on line 26

3. Page 1, line 29.

Strike: "6"

Insert: "18"

Strike: "or revise"

And, as amended, be concurred in. Report adopted.

SB 427, be amended as follows:

1. Title, page 1, line 8.

Strike: "REAL"

Insert: "SPECIAL USE"

2. Page 1, line 21.

Following: line 20

Insert: "(2) (a) "Release" means any spilling, leaking, emitting, discharging, escaping, leaching, or disposing of petroleum or petroleum products from a petroleum storage tank into ground water, surface water, surface soils, or subsurface soils that occurred from a petroleum storage tank, as defined in 75-11-302.

(b) The term does not include a release from the following petroleum storage tanks:

(i) a tank located at a refinery or a terminal of a refiner;

(ii) a tank located at an oil and gas production facility; or

(ii) a tank that is or was previously under the ownership or control of a railroad, except for a tank that was operated by a lessee of a railroad in the course of nonrailroad operations."

Renumber: subsequent subsections

3. Page 1, line 23.

Following: "based."

Insert: "The term includes reasonable attorney fees and costs incurred by the plaintiff."

4. Page 1, line 24.

Following: "real property"

Insert: "contaminated by a release from a petroleum storage tank, as defined in 75-11-302,"

5. Page 1, line 28.

Strike: "Damages"

Insert: "Restoration damages"

Strike: "real"

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Insert: "special use"

6. Page 1, line 28 through page 2, line 2.

Strike: subsection (1) in its entirety

Renumber: subsequent subsections

7. Page 2, line 4.

Following: "fact"

Insert: "and may only be obtained pursuant to [sections 1 through 6]"

8. Page 2, line 5.

Following: "award of"

Insert: "other"

Strike: "for loss" through "property"

Insert: "allowed under common law and statute"

9. Page 2, line 8.

Strike: "[section 3(2)] may"

Insert: "[section 3], exclusive of damages awarded for attorney fees and costs, must"

Strike: "only"

10. Page 2, line 13.

Following: "(1)."

Insert: "The plaintiff may create a trust to be overseen by a qualified professional to restore the special use property."

11. Page 2, line 16.

Following: the first "for"

Insert: "restoration"

Strike: "real"

Insert: "special use"

12. Page 2, line 17.

Strike: "or to be taken at or having an effect on"

Insert: "at or ordered for"

Strike: "real"

Insert: "special use"

13. Page 2, line 18.

Following: "75"

Insert: ", chapter 11"

14. Page 2, line 19 through line 20.

Strike: "the Comprehensive" on line 19 through "seq., or" on line 20

15. Page 2, line 23.

Following: "action for"

Insert: "restoration"

16. Page 2, line 24 through line 27.

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Strike: "real" on line 24

Insert: "special use"

Strike: ":" on line 24 through "(2)" on line 27

17. Page 2, line 27 through page 3, line 2.

Following: "use property" on page 2, line 27

Strike: "if the" on page 2, line 27 through "contamination" on page 3, line 2

18. Page 3, line 5.

Strike: the first "1"

Insert: "11"

Strike: the second "1"

Insert: "11"

19. Page 3, line 6.

Following: line 5

Insert: "NEW SECTION. Section 8. Nonseverability. It is the intent of the legislature that each part of [this act] is essentially dependent upon every other part, and if one part is held unconstitutional or invalid, all other parts are invalid."

Renumber: subsequent sections

And, as amended, be concurred in. Report adopted.

MESSAGES FROM THE SENATE

Senate bill passed and transmitted to the House for concurrence: 3/30/2009

SB 499, introduced by Essmann

SB 509, introduced by Gebhardt

House bill concurred in and returned to the House: 3/30/2009

HB 163, introduced by Cohenour

Senate bill failed to concur in House amendments: 3/30/2009

SB 73 - The Senate failed to concur in House amendments to **SB 73**

SB 79 - The Senate failed to concur in House amendments to **SB 79**

SB 108 - The Senate failed to concur in House amendments to **SB 108**

FIRST READING AND COMMITMENT OF BILLS

The following Senate bills were introduced, read first time, and referred to committees:

SB 499, introduced by Essmann, Bales, referred to Taxation.

SB 509, introduced by Gebhardt, referred to Taxation.

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THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 23, Conference Committee report, passed as follows:

Yeas: Ankney, Arntzen, Augare, Barrett, Bean, B. Beck, P. Beck, Becker, Bennett, Berry, Blasdel, Blewett, Boland, Boniek, Boss Ribs, Brown, Butcher, Caferro, Campbell, Cohenour, Dickenson, Driscoll, Ebinger, Fleming, French, Furey, Getz, Glaser, Grinde, Hamilton, Hands, Hawk, Hendrick, Henry, Himmelberger, Hiner, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jones, Jopek, Kasten, Kerns, Klock, Kottel, Lake, MacDonald, MacLaren, Malek, McAlpin, McChesney, McClafferty, McGillvray, McNutt, Mehlhoff, Menahan, Mendenhall, Milburn, Miller, More, Morgan, A. Noonan, P. Noonan, Nooney, O'Hara, Pease-Lopez, Peterson, Phillips, Pomnichowski, Randall, Regier, Reichner, Reinhart, Roberts, Roundstone, Sales, Sands, Sesso, Smith, Sonju, Stahl, Steenson, Stoker, Taylor, Vance, Van Dyk, Villa, Vincent, Wagner, Warburton, Washburn, Welborn, Wilmer, Wilson, Wiseman, Mr. Speaker.

Total 99

Nays: None.

Total 0

Excused: Belcourt.

Total 1

Absent or not voting: None.

Total 0

HB 221, as amended by the Senate, passed as follows:

Yeas: Ankney, Arntzen, Augare, Barrett, Bean, B. Beck, Becker, Bennett, Berry, Blasdel, Blewett, Boland, Boniek, Boss Ribs, Brown, Butcher, Caferro, Campbell, Cohenour, Dickenson, Driscoll, Ebinger, Fleming, French, Furey, Getz, Glaser, Grinde, Hands, Hawk, Hendrick, Henry, Himmelberger, Hiner, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jones, Jopek, Kasten, Kerns, Klock, Kottel, Lake, MacDonald, MacLaren, Malek, McAlpin, McChesney, McClafferty, McGillvray, McNutt, Mehlhoff, Menahan, Mendenhall, Milburn, Miller, More, Morgan, A. Noonan, P. Noonan, Nooney, O'Hara, Pease-Lopez, Peterson, Phillips, Pomnichowski, Randall, Reichner, Reinhart, Roberts, Roundstone, Sales, Sands, Sesso, Smith, Sonju, Stahl, Steenson, Stoker, Taylor, Vance, Villa, Vincent, Wagner, Warburton, Washburn, Welborn, Wilmer, Wilson, Wiseman, Mr. Speaker.

Total 95

Nays: P. Beck, Regier, Van Dyk.

Total 3

Excused: Belcourt.

Total 1

Absent or not voting: Hamilton.

Total 1

HB 290, as amended by the Senate, passed as follows:

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Yeas: Ankney, Arntzen, Augare, Barrett, Bean, B. Beck, P. Beck, Becker, Bennett, Berry, Blasdel, Blewett, Boland, Boniek, Boss Ribs, Brown, Butcher, Caferro, Campbell, Cohenour, Dickenson, Driscoll, Ebinger, Fleming, French, Furey, Getz, Glaser, Grinde, Hamilton, Hands, Hawk, Hendrick, Henry, Himmelberger, Hiner, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jones, Jopek, Kasten, Klock, Kottel, Lake, MacDonald, MacLaren, Malek, McAlpin, McChesney, McClafferty, McGillvray, McNutt, Mehlhoff, Menahan, Milburn, More, Morgan, A. Noonan, P. Noonan, Nooney, O'Hara, Pease-Lopez, Peterson, Phillips, Pomnichowski, Randall, Regier, Reichner, Reinhart, Roberts, Roundstone, Sales, Sands, Sesso, Smith, Sonju, Stahl, Steenson, Stoker, Vance, Van Dyk, Villa, Vincent, Warburton, Washburn, Wilmer, Wilson, Wiseman, Mr. Speaker.
Total 93

Nays: Kerns, Mendenhall, Miller, Taylor, Wagner, Welborn.
Total 6

Excused: Belcourt.
Total 1

Absent or not voting: None.
Total 0

HB 291, as amended by the Senate, passed as follows:

Yeas: Ankney, Arntzen, Augare, Barrett, Bean, B. Beck, Becker, Bennett, Blasdel, Blewett, Boland, Boss Ribs, Brown, Butcher, Caferro, Campbell, Cohenour, Dickenson, Driscoll, Ebinger, Fleming, French, Furey, Getz, Glaser, Grinde, Hamilton, Hands, Hawk, Hendrick, Henry, Himmelberger, Hiner, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jones, Jopek, Kasten, Kerns, Klock, Kottel, Lake, MacDonald, MacLaren, Malek, McAlpin, McChesney, McClafferty, McGillvray, McNutt, Mehlhoff, Menahan, Mendenhall, Milburn, Miller, More, Morgan, A. Noonan, P. Noonan, Nooney, O'Hara, Pease-Lopez, Peterson, Phillips, Pomnichowski, Randall, Regier, Reichner, Reinhart, Roberts, Roundstone, Sales, Sands, Sesso, Smith, Sonju, Stahl, Steenson, Stoker, Taylor, Vance, Van Dyk, Villa, Vincent, Wagner, Warburton, Washburn, Welborn, Wilmer, Wilson, Wiseman, Mr. Speaker.
Total 96

Nays: P. Beck, Berry, Boniek.
Total 3

Excused: Belcourt.
Total 1

Absent or not voting: None.
Total 0

HB 312 passed as follows:

Yeas: Ankney, Arntzen, Augare, Barrett, B. Beck, P. Beck, Becker, Berry, Blewett, Boland, Boss Ribs, Caferro, Cohenour, Dickenson, Driscoll, Ebinger, Fleming, French, Furey, Getz, Glaser, Grinde, Hamilton, Hands, Henry, Himmelberger, Hiner, Hollenbaugh, Hoven, Hunter, Jopek, Klock, Kottel, MacDonald, Malek, McAlpin, McChesney, McClafferty, McGillvray, Menahan, More, A. Noonan, P. Noonan, Pease-Lopez, Peterson, Phillips, Pomnichowski, Regier, Reinhart, Roundstone, Sands, Sesso, Sonju, Steenson, Van Dyk, Villa, Wilmer, Wilson, Wiseman.
Total 59

Nays: Bean, Bennett, Blasdel, Boniek, Brown, Butcher, Campbell, Hawk, Hendrick, Hollandsworth, Howard,

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Ingraham, Jones, Kasten, Kerns, Lake, MacLaren, McNutt, Mehlhoff, Mendenhall, Milburn, Miller, Morgan, Nooney, O'Hara, Randall, Reichner, Roberts, Sales, Smith, Stahl, Stoker, Taylor, Vance, Vincent, Wagner, Warburton, Washburn, Welborn, Mr. Speaker.
Total 40

Excused: Belcourt.
Total 1

Absent or not voting: None.
Total 0

HB 361 passed as follows:

Yeas: Augare, Barrett, P. Beck, Becker, Blewett, Boland, Boss Ribs, Caferro, Campbell, Cohenour, Dickenson, Driscoll, Ebinger, Fleming, French, Furey, Getz, Grinde, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Hoven, Hunter, Jopek, Kottel, MacDonald, Malek, McAlpin, McChesney, McClafferty, Mehlhoff, Menahan, A. Noonan, P. Noonan, O'Hara, Pease-Lopez, Phillips, Pomnichowski, Reinhart, Roundstone, Sands, Sesso, Stahl, Steenson, Van Dyk, Villa, Wilmer, Wilson, Wiseman, Mr. Speaker.
Total 52

Nays: Ankney, Arntzen, Bean, B. Beck, Bennett, Berry, Blasdel, Boniek, Brown, Butcher, Glaser, Hawk, Hendrick, Himmelberger, Hollandsworth, Howard, Ingraham, Jones, Kasten, Kerns, Klock, Lake, MacLaren, McGillvray, McNutt, Mendenhall, Milburn, Miller, More, Morgan, Nooney, Peterson, Randall, Regier, Reichner, Roberts, Sales, Smith, Sonju, Stoker, Taylor, Vance, Vincent, Wagner, Warburton, Washburn, Welborn.
Total 47

Excused: Belcourt.
Total 1

Absent or not voting: None.
Total 0

HB 657 passed as follows:

Yeas: Ankney, Arntzen, Augare, Barrett, Bean, B. Beck, P. Beck, Becker, Bennett, Berry, Blasdel, Blewett, Boland, Boniek, Boss Ribs, Brown, Butcher, Caferro, Campbell, Cohenour, Dickenson, Driscoll, Ebinger, Fleming, French, Furey, Getz, Glaser, Grinde, Hamilton, Hands, Hawk, Hendrick, Henry, Himmelberger, Hiner, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jones, Jopek, Kasten, Klock, Kottel, Lake, MacDonald, MacLaren, Malek, McAlpin, McChesney, McClafferty, McGillvray, McNutt, Mehlhoff, Menahan, Mendenhall, Milburn, Miller, More, Morgan, A. Noonan, P. Noonan, Nooney, O'Hara, Pease-Lopez, Peterson, Phillips, Pomnichowski, Randall, Regier, Reichner, Reinhart, Roberts, Roundstone, Sales, Sands, Sesso, Smith, Sonju, Stahl, Steenson, Stoker, Taylor, Vance, Van Dyk, Villa, Vincent, Wagner, Warburton, Washburn, Welborn, Wilmer, Wilson, Wiseman, Mr. Speaker.
Total 98

Nays: Kerns.
Total 1

Excused: Belcourt.
Total 1

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Absent or not voting: None.
Total 0

HB 670 passed as follows:

Yeas: Ankney, Arntzen, Augare, Barrett, Bean, B. Beck, P. Beck, Becker, Bennett, Berry, Blasdel, Blewett, Boland, Boniek, Boss Ribs, Brown, Butcher, Caferro, Campbell, Cohenour, Dickenson, Driscoll, Ebinger, Fleming, French, Furey, Getz, Glaser, Grinde, Hamilton, Hands, Hawk, Hendrick, Henry, Himmelberger, Hiner, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jones, Jopek, Kasten, Klock, Kottel, Lake, MacDonald, MacLaren, McAlpin, McChesney, McClafferty, McGillvray, McNutt, Mehlhoff, Menahan, Mendenhall, Milburn, Miller, More, Morgan, A. Noonan, P. Noonan, Nooney, O'Hara, Pease-Lopez, Peterson, Phillips, Randall, Regier, Reichner, Reinhart, Roberts, Roundstone, Sales, Sands, Sesso, Smith, Sonju, Stahl, Steenson, Stoker, Taylor, Vance, Van Dyk, Villa, Vincent, Wagner, Warburton, Washburn, Welborn, Wilmer, Wilson, Wiseman, Mr. Speaker.
Total 96

Nays: Kerns, Malek, Pomnichowski.
Total 3

Excused: Belcourt.
Total 1

Absent or not voting: None.
Total 0

SB 57 concurred in as follows:

Yeas: Ankney, Arntzen, Augare, Barrett, P. Beck, Becker, Bennett, Berry, Blewett, Boland, Boss Ribs, Brown, Butcher, Caferro, Campbell, Cohenour, Dickenson, Driscoll, Ebinger, Fleming, French, Furey, Getz, Glaser, Grinde, Hamilton, Hands, Hendrick, Henry, Himmelberger, Hiner, Hollandsworth, Hollenbaugh, Hoven, Hunter, Ingraham, Jones, Jopek, Klock, Kottel, MacDonald, MacLaren, Malek, McAlpin, McChesney, McClafferty, McNutt, Mehlhoff, Menahan, Milburn, Morgan, A. Noonan, P. Noonan, Nooney, O'Hara, Pease-Lopez, Peterson, Phillips, Pomnichowski, Reichner, Reinhart, Roberts, Roundstone, Sands, Sesso, Stahl, Steenson, Vance, Van Dyk, Villa, Warburton, Washburn, Wilmer, Wilson, Wiseman, Mr. Speaker.
Total 76

Nays: Bean, B. Beck, Blasdel, Boniek, Hawk, Howard, Kasten, Kerns, Lake, McGillvray, Mendenhall, Miller, More, Randall, Regier, Sales, Smith, Sonju, Stoker, Taylor, Vincent, Wagner, Welborn.
Total 23

Excused: Belcourt.
Total 1

Absent or not voting: None.
Total 0

SB 58 concurred in as follows:

Yeas: Ankney, Arntzen, Augare, Barrett, P. Beck, Becker, Berry, Blewett, Boland, Boss Ribs, Brown, Butcher, Caferro, Campbell, Cohenour, Dickenson, Driscoll, Ebinger, Fleming, French, Furey, Getz, Glaser, Grinde, Hamilton, Hands, Henry, Himmelberger, Hiner, Hollandsworth, Hollenbaugh, Hoven, Hunter, Ingraham, Jones, Jopek, Klock, Kottel, Lake, MacDonald, MacLaren, Malek, McAlpin, McChesney, McClafferty, McNutt, Mehlhoff,

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Menahan, Morgan, A. Noonan, P. Noonan, Nooney, O'Hara, Pease-Lopez, Peterson, Phillips, Pomnichowski, Reinhart, Roberts, Roundstone, Sands, Sesso, Stahl, Steenson, Stoker, Taylor, Vance, Van Dyk, Villa, Washburn, Wilmer, Wilson, Wiseman, Mr. Speaker.

Total 74

Nays: Bean, B. Beck, Bennett, Blasdel, Boniek, Hawk, Hendrick, Howard, Kasten, Kerns, McGillvray, Mendenhall, Milburn, Miller, More, Randall, Regier, Reichner, Sales, Smith, Sonju, Vincent, Wagner, Warburton, Welborn.

Total 25

Excused: Belcourt.

Total 1

Absent or not voting: None.

Total 0

SB 95 concurred in as follows:

Yeas: Ankney, Augare, Barrett, P. Beck, Becker, Berry, Blewett, Boland, Boss Ribs, Caferro, Campbell, Cohenour, Dickenson, Driscoll, Ebinger, Fleming, French, Furey, Getz, Glaser, Grinde, Hamilton, Hands, Hendrick, Henry, Himmelberger, Hiner, Hollandsworth, Hollenbaugh, Hoven, Hunter, Ingraham, Jones, Jopek, Kottel, MacDonald, MacLaren, Malek, McAlpin, McChesney, McClafferty, McNutt, Mehlhoff, Menahan, Milburn, Miller, A. Noonan, P. Noonan, Nooney, O'Hara, Pease-Lopez, Phillips, Pomnichowski, Regier, Reinhart, Roundstone, Sands, Sesso, Steenson, Taylor, Van Dyk, Villa, Vincent, Wilmer, Wilson, Wiseman, Mr. Speaker.

Total 67

Nays: Arntzen, Bean, B. Beck, Bennett, Blasdel, Boniek, Brown, Butcher, Howard, Kasten, Kerns, Klock, Lake, McGillvray, Mendenhall, More, Morgan, Peterson, Randall, Reichner, Roberts, Sales, Smith, Sonju, Stahl, Stoker, Vance, Wagner, Warburton, Washburn, Welborn.

Total 31

Excused: Belcourt.

Total 1

Absent or not voting: Hawk.

Total 1

SB 113 concurred in as follows:

Yeas: Ankney, Arntzen, Augare, Barrett, Bean, B. Beck, P. Beck, Becker, Bennett, Berry, Blasdel, Blewett, Boland, Boniek, Boss Ribs, Brown, Butcher, Caferro, Campbell, Cohenour, Dickenson, Driscoll, Ebinger, Fleming, French, Furey, Getz, Glaser, Grinde, Hamilton, Hands, Hawk, Hendrick, Henry, Himmelberger, Hiner, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jones, Jopek, Kasten, Klock, Kottel, Lake, MacDonald, MacLaren, Malek, McAlpin, McChesney, McClafferty, McGillvray, McNutt, Mehlhoff, Menahan, Mendenhall, Milburn, Miller, More, A. Noonan, P. Noonan, Nooney, O'Hara, Pease-Lopez, Peterson, Phillips, Pomnichowski, Randall, Regier, Reichner, Reinhart, Roberts, Roundstone, Sales, Sands, Sesso, Smith, Sonju, Stahl, Steenson, Stoker, Taylor, Vance, Van Dyk, Villa, Vincent, Wagner, Washburn, Welborn, Wilmer, Wilson, Wiseman, Mr. Speaker.

Total 96

Nays: Kerns, Morgan.

Total 2

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Excused: Belcourt.
Total 1

Absent or not voting: Warburton.
Total 1

SB 123 concurred in as follows:

Yeas: Ankney, Arntzen, Augare, Barrett, Bean, B. Beck, P. Beck, Becker, Bennett, Berry, Blasdel, Blewett, Boland, Boniek, Boss Ribs, Brown, Butcher, Caferro, Campbell, Cohenour, Dickenson, Driscoll, Ebinger, Fleming, French, Furey, Getz, Glaser, Grinde, Hamilton, Hands, Hawk, Hendrick, Henry, Himmelberger, Hiner, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jones, Jopek, Kasten, Kerns, Klock, Kottel, Lake, MacDonald, MacLaren, Malek, McAlpin, McChesney, McClafferty, McGillvray, McNutt, Mehlhoff, Menahan, Mendenhall, Milburn, Miller, More, Morgan, A. Noonan, P. Noonan, Nooney, O'Hara, Pease-Lopez, Phillips, Pomnichowski, Randall, Regier, Reichner, Reinhart, Roberts, Roundstone, Sales, Sands, Sesso, Smith, Sonju, Stahl, Steenson, Stoker, Taylor, Vance, Van Dyk, Villa, Vincent, Wagner, Warburton, Washburn, Welborn, Wilmer, Wilson, Wiseman, Mr. Speaker.
Total 98

Nays: Peterson.
Total 1

Excused: Belcourt.
Total 1

Absent or not voting: None.
Total 0

SB 133 concurred in as follows:

Yeas: Ankney, Arntzen, Augare, Barrett, Bean, B. Beck, P. Beck, Becker, Bennett, Berry, Blasdel, Blewett, Boland, Boss Ribs, Brown, Butcher, Caferro, Campbell, Cohenour, Dickenson, Driscoll, Ebinger, Fleming, French, Furey, Getz, Glaser, Grinde, Hamilton, Hands, Hawk, Hendrick, Henry, Himmelberger, Hiner, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jones, Jopek, Kasten, Klock, Kottel, MacDonald, MacLaren, Malek, McAlpin, McChesney, McClafferty, McGillvray, McNutt, Mehlhoff, Menahan, Milburn, A. Noonan, P. Noonan, Nooney, O'Hara, Pease-Lopez, Peterson, Phillips, Pomnichowski, Regier, Reichner, Reinhart, Roundstone, Sands, Sesso, Smith, Sonju, Stahl, Steenson, Taylor, Vance, Van Dyk, Villa, Vincent, Washburn, Welborn, Wilmer, Wilson, Wiseman, Mr. Speaker.
Total 86

Nays: Boniek, Kerns, Lake, Mendenhall, Miller, More, Morgan, Randall, Roberts, Sales, Stoker, Wagner, Warburton.
Total 13

Excused: Belcourt.
Total 1

Absent or not voting: None.
Total 0

SB 148 concurred in as follows:

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Yeas: Ankney, Arntzen, Augare, Barrett, Bean, B. Beck, P. Beck, Becker, Bennett, Berry, Blasdel, Blewett, Boland, Boniek, Boss Ribs, Brown, Butcher, Caferro, Campbell, Cohenour, Dickenson, Driscoll, Ebinger, Fleming, French, Furey, Getz, Glaser, Grinde, Hamilton, Hands, Hawk, Hendrick, Henry, Himmelberger, Hiner, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jones, Jopek, Kasten, Kerns, Klock, Kottel, Lake, MacDonald, MacLaren, Malek, McAlpin, McChesney, McClafferty, McGillvray, McNutt, Mehlhoff, Menahan, Mendenhall, Milburn, Miller, More, Morgan, A. Noonan, P. Noonan, Nooney, O'Hara, Pease-Lopez, Peterson, Phillips, Pomnichowski, Randall, Regier, Reichner, Reinhart, Roberts, Roundstone, Sales, Sands, Sesso, Smith, Sonju, Stahl, Steenson, Stoker, Taylor, Vance, Van Dyk, Villa, Vincent, Wagner, Warburton, Washburn, Welborn, Wilmer, Wilson, Wiseman, Mr. Speaker.

Total 99

Nays: None.

Total 0

Excused: Belcourt.

Total 1

Absent or not voting: None.

Total 0

Rep. Phillips announced that the House Democrats will caucus.

Rep. Mendenhall announced that the House Republicans will caucus.

Mr. Speaker announced that the House will recess for 15 minutes until 12:35 p.m.

The House came to order at 12:51 p.m.

REPORTS OF STANDING COMMITTEES

JUDICIARY (Stoker, Chairman):

3/30/2009

HJR 31, be adopted. Report adopted.

SB 476, be concurred in. Report adopted.

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Majority Leader Campbell moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Villa in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 575 - Representative McChesney introduced **HB 575** do pass.

HB 575 - Representative Roundstone moved **HB 575** be amended as follows:

1. Page 7, line 19.

Following: "2"

Strike: ", "

Insert: ": (i) the board shall certify that the withdrawal from the ground of water associated with coal bed methane production does not adversely affect senior water rights; and
(ii)"

2. Page 7, line 22.

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Strike: "(i)"
Insert: "(A)"

3. Page 7, line 23.

Strike: "(ii)"
Insert: "(B)"

Motion, to amend, **failed** as follows:

Yeas: Barrett, P. Beck, Becker, Belcourt, Blewett, Boland, Boss Ribs, Caferro, Campbell, Cohenour, Dickenson, Driscoll, Ebinger, Fleming, French, Furey, Getz, Grinde, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jopek, Kottel, MacDonald, Malek, McAlpin, McClafferty, Mehlhoff, Menahan, A. Noonan, P. Noonan, Phillips, Pomnichowski, Reinhart, Roundstone, Sands, Steenson, Van Dyk, Villa, Wilmer, Wilson, Wiseman, Mr. Speaker.
Total 45

Nays: Ankney, Arntzen, Augare, Bean, B. Beck, Bennett, Berry, Blasdel, Boniek, Brown, Butcher, Glaser, Hawk, Hendrick, Himmelberger, Hollandsworth, Hoven, Howard, Hunter, Ingraham, Jones, Kasten, Kerns, Klock, Lake, MacLaren, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Miller, More, Morgan, Nooney, O'Hara, Peterson, Randall, Regier, Reichner, Roberts, Sales, Sesso, Smith, Sonju, Stahl, Stoker, Taylor, Vance, Vincent, Wagner, Warburton, Washburn, Welborn.
Total 54

Excused: Pease-Lopez.
Total 1

Absent or not voting: None.
Total 0

HB 575 - Representative McChesney moved **HB 575** do pass. Motion carried as follows:

Yeas: Ankney, Arntzen, Augare, Bean, B. Beck, Belcourt, Bennett, Berry, Blasdel, Boniek, Brown, Butcher, Glaser, Hawk, Hendrick, Himmelberger, Hiner, Hollandsworth, Hoven, Howard, Hunter, Ingraham, Jones, Kasten, Kerns, Klock, Lake, MacLaren, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Miller, More, Morgan, P. Noonan, Nooney, O'Hara, Pease-Lopez, Peterson, Randall, Regier, Reichner, Roberts, Sales, Sesso, Smith, Sonju, Stahl, Stoker, Taylor, Vance, Vincent, Wagner, Warburton, Washburn, Welborn, Mr. Speaker.
Total 59

Nays: Barrett, P. Beck, Becker, Blewett, Boland, Boss Ribs, Caferro, Campbell, Cohenour, Dickenson, Driscoll, Ebinger, Fleming, French, Furey, Getz, Grinde, Hamilton, Hands, Henry, Hollenbaugh, Jopek, Kottel, MacDonald, Malek, McAlpin, McClafferty, Mehlhoff, Menahan, A. Noonan, Phillips, Pomnichowski, Reinhart, Roundstone, Sands, Steenson, Van Dyk, Villa, Wilmer, Wilson, Wiseman.
Total 41

Excused: None.
Total 0

Absent or not voting: None.
Total 0

Rep. Stahl moved that **SB 8** be moved to the top of the board. Motion carried.
SB 8 - Representative Stahl moved **SB 8** be concurred in. Motion carried as follows:

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Yeas: Ankney, Arntzen, Augare, Barrett, Bean, B. Beck, P. Beck, Becker, Bennett, Berry, Blasdel, Blewett, Boland, Boniek, Brown, Butcher, Caferro, Campbell, Cohenour, Dickenson, Driscoll, Ebinger, Fleming, French, Furey, Getz, Glaser, Grinde, Hamilton, Hands, Hawk, Hendrick, Henry, Himmelberger, Hiner, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jones, Jopek, Kasten, Kerns, Klock, Kottel, Lake, MacDonald, MacLaren, Malek, McAlpin, McChesney, McClafferty, McGillvray, McNutt, Mehlhoff, Menahan, Mendenhall, Milburn, Miller, More, Morgan, A. Noonan, P. Noonan, Nooney, O'Hara, Pease-Lopez, Peterson, Phillips, Pomnichowski, Randall, Regier, Reichner, Reinhart, Roberts, Roundstone, Sales, Sands, Sesso, Smith, Sonju, Stahl, Steenson, Stoker, Taylor, Vance, Van Dyk, Villa, Vincent, Wagner, Warburton, Washburn, Welborn, Wilmer, Wilson, Wiseman, Mr. Speaker.

Total 98

Nays: Belcourt.

Total 1

Excused: None.

Total 0

Absent or not voting: Boss Ribs.

Total 1

HB 631 - Representative Blewett moved **HB 631** do pass. Motion carried as follows:

Yeas: Ankney, Arntzen, Augare, Barrett, B. Beck, P. Beck, Becker, Belcourt, Blasdel, Blewett, Boland, Boss Ribs, Butcher, Campbell, Cohenour, Dickenson, Driscoll, Ebinger, Fleming, French, Furey, Getz, Glaser, Grinde, Hamilton, Hands, Henry, Himmelberger, Hiner, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Jones, Jopek, Klock, Kottel, MacDonald, MacLaren, Malek, McAlpin, McChesney, McClafferty, McNutt, Mehlhoff, Menahan, Milburn, Miller, Morgan, A. Noonan, P. Noonan, Nooney, O'Hara, Pease-Lopez, Peterson, Phillips, Pomnichowski, Reichner, Reinhart, Roberts, Roundstone, Sands, Sesso, Sonju, Stahl, Steenson, Taylor, Vance, Van Dyk, Villa, Vincent, Warburton, Washburn, Wilmer, Wilson, Wiseman, Mr. Speaker.

Total 78

Nays: Bean, Bennett, Berry, Boniek, Brown, Caferro, Hawk, Hendrick, Ingraham, Kasten, Kerns, Lake, McGillvray, Mendenhall, More, Randall, Regier, Sales, Smith, Stoker, Wagner, Welborn.

Total 22

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 656 - Representative Stahl moved **HB 656** do pass. Motion carried as follows:

Yeas: Ankney, Arntzen, Augare, Barrett, Bean, B. Beck, P. Beck, Becker, Belcourt, Bennett, Berry, Blasdel, Blewett, Boland, Boss Ribs, Brown, Butcher, Campbell, Cohenour, Dickenson, Driscoll, Ebinger, Fleming, French, Furey, Getz, Glaser, Grinde, Hamilton, Hands, Hawk, Hendrick, Henry, Himmelberger, Hiner, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jones, Jopek, Kasten, Kerns, Klock, Kottel, Lake, MacDonald, MacLaren, Malek, McAlpin, McChesney, McClafferty, McNutt, Mehlhoff, Menahan, Mendenhall, Milburn, Miller, More, Morgan, A. Noonan, P. Noonan, Nooney, O'Hara, Pease-Lopez, Peterson, Phillips, Pomnichowski, Randall, Regier, Reinhart, Roberts, Roundstone, Sales, Sands, Sesso, Sonju, Stahl, Steenson, Taylor, Vance, Van Dyk, Villa, Vincent, Wagner, Warburton, Washburn, Welborn, Wilmer, Wilson, Wiseman, Mr. Speaker.

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Total 94

Nays: Boniek, Caferro, McGillvray, Reichner, Smith, Stoker.

Total 6

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 658 - Representative Jopek moved **HB 658** do pass. Motion carried as follows:

Yeas: Ankney, Arntzen, Augare, Bean, P. Beck, Becker, Belcourt, Bennett, Berry, Blewett, Boland, Boss Ribs, Butcher, Campbell, Cohenour, Dickenson, Driscoll, Ebinger, Fleming, French, Furey, Getz, Glaser, Grinde, Hamilton, Hands, Hawk, Hendrick, Himmelberger, Hiner, Hollandsworth, Hollenbaugh, Hoven, Hunter, Ingraham, Jones, Jopek, Kasten, Kerns, Kottel, Lake, MacDonald, MacLaren, Malek, McAlpin, McChesney, McClafferty, Mehlhoff, Menahan, Mendenhall, Milburn, Miller, Morgan, P. Noonan, Nooney, O'Hara, Pease-Lopez, Peterson, Phillips, Regier, Reichner, Reinhart, Roundstone, Sands, Sesso, Steenson, Stoker, Taylor, Vance, Van Dyk, Villa, Wilmer, Wilson, Wiseman, Mr. Speaker.

Total 75

Nays: Barrett, B. Beck, Blasdel, Boniek, Brown, Caferro, Henry, Howard, Klock, McGillvray, McNutt, More, A. Noonan, Pomnichowski, Randall, Roberts, Sales, Smith, Sonju, Stahl, Vincent, Wagner, Warburton, Washburn, Welborn.

Total 25

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 662 - Representative Arntzen moved **HB 662** do pass. Motion carried as follows:

Yeas: Ankney, Arntzen, Augare, Barrett, B. Beck, P. Beck, Becker, Belcourt, Berry, Blewett, Boland, Boss Ribs, Butcher, Caferro, Campbell, Cohenour, Dickenson, Driscoll, Ebinger, Fleming, French, Furey, Getz, Glaser, Grinde, Hamilton, Hands, Hendrick, Henry, Himmelberger, Hiner, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Jones, Jopek, Klock, Kottel, MacDonald, Malek, McAlpin, McClafferty, McGillvray, McNutt, Mehlhoff, Menahan, Miller, Morgan, A. Noonan, P. Noonan, O'Hara, Peterson, Phillips, Pomnichowski, Regier, Reichner, Reinhart, Roundstone, Sands, Sesso, Smith, Steenson, Van Dyk, Villa, Washburn, Welborn, Wilmer, Wilson, Wiseman, Mr. Speaker.

Total 72

Nays: Bean, Bennett, Blasdel, Boniek, Brown, Hawk, Ingraham, Kasten, Kerns, Lake, MacLaren, Mendenhall, Milburn, More, Nooney, Pease-Lopez, Randall, Roberts, Sales, Sonju, Stoker, Taylor, Vance, Vincent, Wagner, Warburton.

Total 26

Excused: None.

Total 0

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Absent or not voting: McChesney, Stahl.
Total 2

HB 674 - Representative Vincent moved **HB 674** do pass. Requires adoption by 2/3 of each House. Motion carried as follows:

Yeas: Ankney, Arntzen, Augare, Barrett, Bean, B. Beck, P. Beck, Becker, Belcourt, Bennett, Berry, Blasdel, Blewett, Boland, Boniek, Boss Ribs, Brown, Butcher, Caferro, Campbell, Cohenour, Dickenson, Driscoll, Ebinger, Fleming, French, Furey, Glaser, Grinde, Hamilton, Hands, Hawk, Hendrick, Henry, Himmelberger, Hiner, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jones, Jopek, Kasten, Kerns, Klock, Kottel, Lake, MacDonald, MacLaren, Malek, McAlpin, McChesney, McClafferty, McGillvray, McNutt, Mehlhoff, Menahan, Mendenhall, Milburn, Miller, More, Morgan, A. Noonan, P. Noonan, Nooney, O'Hara, Pease-Lopez, Peterson, Phillips, Pomnichowski, Randall, Regier, Reichner, Reinhart, Roberts, Roundstone, Sales, Sands, Sesso, Smith, Sonju, Stahl, Steenson, Stoker, Taylor, Vance, Van Dyk, Villa, Vincent, Wagner, Warburton, Washburn, Welborn, Wilmer, Wilson, Wiseman, Mr. Speaker.
Total 99

Nays: Getz.
Total 1

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 669 - Representative Vincent moved **HB 669** do pass. Motion carried as follows:

Yeas: Ankney, Arntzen, Augare, Barrett, Bean, B. Beck, P. Beck, Becker, Belcourt, Bennett, Berry, Blasdel, Blewett, Boland, Boss Ribs, Brown, Butcher, Caferro, Campbell, Cohenour, Dickenson, Driscoll, Ebinger, Fleming, French, Furey, Getz, Glaser, Grinde, Hamilton, Hands, Hendrick, Henry, Himmelberger, Hiner, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jones, Jopek, Kasten, Klock, Kottel, Lake, MacDonald, MacLaren, Malek, McAlpin, McChesney, McClafferty, McGillvray, McNutt, Mehlhoff, Menahan, Mendenhall, Milburn, Miller, More, Morgan, A. Noonan, P. Noonan, Nooney, O'Hara, Pease-Lopez, Peterson, Phillips, Pomnichowski, Randall, Regier, Reichner, Reinhart, Roberts, Roundstone, Sales, Sands, Sesso, Smith, Sonju, Stahl, Steenson, Stoker, Taylor, Vance, Van Dyk, Villa, Vincent, Warburton, Washburn, Welborn, Wilmer, Wilson, Wiseman, Mr. Speaker.
Total 96

Nays: Boniek, Hawk, Kerns, Wagner.
Total 4

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 104 - Representative Dickenson moved **SB 104** be concurred in. Motion carried as follows:

Yeas: Ankney, Augare, Barrett, Bean, B. Beck, P. Beck, Becker, Belcourt, Bennett, Blasdel, Blewett, Boland,

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Boniek, Boss Ribs, Brown, Butcher, Caferro, Cohenour, Dickenson, Driscoll, Ebinger, Fleming, French, Furey, Getz, Glaser, Grinde, Hamilton, Hands, Hendrick, Henry, Himmelberger, Hiner, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jones, Jopek, Kasten, Kerns, Klock, Kottel, MacDonald, MacLaren, Malek, McAlpin, McChesney, McClafferty, McGillvray, McNutt, Mehlhoff, Menahan, Mendenhall, Milburn, Miller, More, Morgan, A. Noonan, P. Noonan, Nooney, O'Hara, Pease-Lopez, Peterson, Phillips, Pomnichowski, Randall, Regier, Reichner, Reinhart, Roberts, Roundstone, Sands, Sesso, Smith, Sonju, Stahl, Steenson, Stoker, Taylor, Vance, Van Dyk, Villa, Vincent, Wagner, Washburn, Welborn, Wilmer, Wilson, Wiseman, Mr. Speaker.

Total 93

Nays: Berry, Campbell, Hawk, Lake, Sales, Warburton.

Total 6

Excused: None.

Total 0

Absent or not voting: Arntzen.

Total 1

SB 158 - Representative K. Peterson moved **SB 158** be concurred in. Motion carried as follows:

Yeas: Arntzen, Barrett, B. Beck, P. Beck, Becker, Belcourt, Bennett, Berry, Blasdel, Blewett, Boland, Boss Ribs, Brown, Butcher, Caferro, Cohenour, Dickenson, Driscoll, Ebinger, Fleming, French, Furey, Getz, Glaser, Grinde, Hamilton, Hands, Hawk, Hendrick, Henry, Himmelberger, Hiner, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Jones, Jopek, Kasten, Kerns, Klock, Kottel, Lake, MacDonald, MacLaren, Malek, McAlpin, McChesney, McClafferty, McGillvray, McNutt, Mehlhoff, Menahan, Milburn, More, Morgan, A. Noonan, P. Noonan, Nooney, Pease-Lopez, Peterson, Phillips, Pomnichowski, Randall, Regier, Reichner, Reinhart, Roberts, Roundstone, Sales, Sands, Sesso, Smith, Sonju, Steenson, Stoker, Taylor, Van Dyk, Villa, Vincent, Wagner, Warburton, Washburn, Wilmer, Wilson, Wiseman.

Total 87

Nays: Ankney, Augare, Bean, Boniek, Campbell, Ingraham, Mendenhall, Miller, O'Hara, Stahl, Vance, Welborn, Mr. Speaker.

Total 13

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Majority Leader Campbell moved the committee rise, report progress and beg leave to sit again. Motion carried. Committee arose. House resumed. Mr. Speaker in the chair. Chairman Villa moved the Committee of the Whole report be adopted. Report adopted as follows:

Yeas: Ankney, Arntzen, Augare, Barrett, Bean, B. Beck, P. Beck, Becker, Bennett, Berry, Blasdel, Blewett, Boland, Brown, Butcher, Caferro, Campbell, Cohenour, Dickenson, Driscoll, Ebinger, Fleming, French, Furey, Getz, Glaser, Grinde, Hamilton, Hands, Hawk, Hendrick, Henry, Himmelberger, Hiner, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jones, Jopek, Kasten, Kerns, Klock, Kottel, Lake, MacDonald, MacLaren, Malek, McAlpin, McClafferty, McNutt, Mehlhoff, Menahan, Milburn, Miller, More, Morgan, A. Noonan, P. Noonan, Nooney, O'Hara, Peterson, Phillips, Pomnichowski, Randall, Regier, Reichner, Reinhart, Roberts, Roundstone, Sands, Smith, Steenson, Stoker, Taylor, Van Dyk, Villa, Wagner, Warburton, Washburn, Welborn, Wilmer, Wilson,

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Wiseman, Mr. Speaker.
Total 87

Nays: Boniek, Boss Ribs, McGillvray, Mendenhall, Sales, Sonju, Stahl, Vance, Vincent.
Total 9

Excused: Belcourt, Pease-Lopez.
Total 2

Absent or not voting: McChesney, Sesso.
Total 2

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NATURAL RESOURCES (Milburn, Chairman):
SB 396, be amended as follows:

3/30/2009

1. Title, line 4.

Strike: "CHANGE IN"

Insert: "REPLACEMENT"

2. Page 1, line 10 through page 2, line 17.

Strike: section 1 in its entirety

Renumber: subsequent sections

3. Page 3, line 5.

Strike: "[section 1] and"

Following: "(15),"

Strike: "and"

Strike: "of this section"

Insert: ", and (18)"

4. Page 3, line 6.

Strike: "of this section"

5. Page 8, line 26 through page 9, line 6.

Strike: subsection (18) in its entirety

Insert: "(18) (a) An appropriator may change an appropriation right for a replacement point of diversion without the prior approval of the department if:

(i) the existing point of diversion is inoperable due to natural causes or deteriorated infrastructure;

(ii) there are no other changes to the water right;

(iii) the capacity of the diversion is not increased;

(iv) there are no points of diversion or intervening water rights between the existing point of diversion and the replacement point of diversion or the appropriator obtains written waivers from all intervening water right holders;

(v) the replacement point of diversion is on the same surface water source and is located as close as reasonably practicable to the existing point of diversion;

(vi) the replacement point of diversion replaces an existing point of diversion and the existing point of diversion will no longer be used;

(vii) the appropriator can show that the existing point of diversion has been used in the 10 years prior to the notice for change of appropriation right for a replacement point of diversion;

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(viii) the appropriator can show the change will not increase access to water availability, change the method of irrigation, if applicable, or increase the amount of water diverted, used, or consumed; and

(ix) a timely, correct and complete notice of replacement point of diversion is submitted to the department as provided in subsection (18)(b).

(b) (i) Within 60 days after completion of a replacement point of diversion, the appropriator shall file a notice of replacement point of diversion with the department on a form provided by the department.

(ii) The department shall review the notice of replacement point of diversion and shall issue an authorization of a change in an appropriation right if all of the criteria in subsection (18)(a) have been met and the notice is correct and complete. The department may inspect the diversion to confirm that the criteria under subsection (18)(a) have been met. If the department issues an authorization of a change in an appropriation right for a replacement point of diversion, the department shall prepare a notice of the authorization and provide notice of the authorization in the same manner as required in 85-2-307 for applications.

(iii) The department may not issue an authorization of a change in appropriation right until a correct and complete notice of replacement point of diversion has been filed with the department. The department shall return a defective notice to the appropriator, along with a description of defects in the notice. The appropriator shall refile a corrected and completed notice of replacement point of diversion within 30 days of notification of defects or within a further time as the department may allow, not to exceed 6 months.

(iv) If a notice of replacement point of diversion is not filed and completed within the time allowed or if the department determines the criteria under (18)(a) have not been met, the appropriator shall:

(A) cease appropriation of water from the replacement point of diversion pending approval by the department; and

(B) submit an application for a change in appropriation right to the department pursuant to subsections (1) through (3).

(c) The provisions of this subsection (18) do not apply to an appropriation right abandoned under 85-2-404.

(d) The provisions of subsections (2), (3), (9), and (10) do not apply to a change in appropriation right that meets the requirements of subsection (18)(a).

(e) (i) An appropriator may file a correct and complete objection with the department alleging that the change in appropriation right for a replacement point of diversion will adversely affect the use of the existing water rights of other persons or other perfected or planned uses or developments for which a permit or certificate has been issued or for which a state water reservation has been issued under Title 85, chapter 2, part 3.

(ii) If the department determines after a contested case hearing between the appropriator and the objector that the rights of other appropriators have been or will be adversely affected, it may revoke the change or make the change subject to terms, conditions, restrictions, or limitations necessary to protect the rights of other appropriators.

(iii) The burden of proof to prove lack of adverse effect at the hearing is on the appropriator changing the point of diversion."

6. Page 9, line 8 through line 9.

Strike: section 3 in its entirety

And, as amended, be concurred in. Report adopted.

ANNOUNCEMENTS

Committees announced Committee meetings were announced by the committee chairs.

Representative Campbell moved that the House stand at ease and reconvene at 5:00 p.m. Motion carried.

House stood at ease at 2:57 p.m.

The House came to order at 5:00 p.m.

Mr. Speaker announced that **HB 678** will be placed on 2nd reading today at the bottom of the agenda.

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HUMAN SERVICES (Becker, Chairman): 3/30/2009
SB 401, be concurred in. Report adopted.
SB 446, be concurred in. Report adopted.
SJR 26, be concurred in. Report adopted.

TRANSPORTATION (Sonju, Chairman): 3/30/2009
SB 457, be amended as follows:

1. Page 2, line 18.
Strike: the second "AND"

2. Page 1, line 19.
Following: "WHITEHALL"
Strike: " "
Insert: " ;"

3. Page 1, line 20.
Following: line 19
Insert: "(9) U.S. highway 89 from the Wyoming border to the Canadian border."

And, as amended, be concurred in. Report adopted.

MOTIONS

Rep. Ingraham moved that her vote for **HB 361** be changed from a '**YES**' to a '**NO**' vote. Motion carried.

Rep. Howard moved that **HB 482** be taken from the Appropriations Committee and be placed on 2nd reading. Motion requires 3/5 majority vote. Motion **failed** as follows:

Yeas: Ankney, Arntzen, Bean, B. Beck, P. Beck, Becker, Bennett, Berry, Blasdel, Boniek, Brown, Butcher, Ebinger, Fleming, Getz, Hawk, Hendrick, Himmelberger, Hollandsworth, Hoven, Howard, Ingraham, Kasten, Kerns, Klock, Lake, MacLaren, McGillvray, McNutt, Mendenhall, Milburn, Miller, More, Morgan, Nooney, O'Hara, Peterson, Randall, Regier, Reichner, Roberts, Sales, Smith, Sonju, Stahl, Stoker, Taylor, Vance, Vincent, Wagner, Warburton, Washburn, Welborn.

Total 53

Nays: Augare, Barrett, Blewett, Boland, Boss Ribs, Caferro, Campbell, Cohenour, Dickenson, Driscoll, French, Furey, Glaser, Grinde, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Hunter, Jopek, Kottel, MacDonald, Malek, McAlpin, McChesney, McClafferty, Mehlhoff, Menahan, A. Noonan, P. Noonan, Phillips, Pomnichowski, Reinhart, Roundstone, Sands, Sesso, Steenson, Van Dyk, Villa, Wilmer, Wilson, Wiseman, Mr. Speaker.

Total 44

Excused: Belcourt, Pease-Lopez.
Total 2

Absent or not voting: Jones.

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Total 1

Rep. McGillvray moved that **SB 374** be taken from the Judiciary Committee and be placed on 2nd reading on this the 70th legislative day. Motion requires 3/5 majority vote. Motion **failed** as follows:

Yeas: Ankney, Arntzen, Bean, B. Beck, Bennett, Berry, Blasdel, Boniek, Brown, Butcher, French, Glaser, Hawk, Hendrick, Himmelberger, Hiner, Hollandsworth, Hoven, Howard, Ingraham, Jones, Kasten, Kerns, Klock, Lake, MacLaren, McGillvray, Mehlhoff, Mendenhall, Milburn, Miller, More, Morgan, O'Hara, Peterson, Randall, Regier, Reichner, Roberts, Roundstone, Sales, Smith, Sonju, Stahl, Stoker, Taylor, Vance, Vincent, Wagner, Warburton, Washburn, Welborn.

Total 52

Nays: Augare, Barrett, P. Beck, Becker, Blewett, Boland, Boss Ribs, Caferro, Campbell, Cohenour, Dickenson, Driscoll, Ebinger, Fleming, Furey, Getz, Grinde, Hamilton, Hands, Henry, Hollenbaugh, Hunter, Jopek, Kottel, MacDonald, Malek, McAlpin, McChesney, McClafferty, Menahan, A. Noonan, P. Noonan, Phillips, Pomnichowski, Reinhart, Sands, Sesso, Steenson, Van Dyk, Villa, Wilmer, Wilson, Wiseman, Mr. Speaker.

Total 44

Excused: Belcourt, Pease-Lopez.

Total 2

Absent or not voting: McNutt, Nooney.

Total 2

Rep. Regier moved that **SB 327** be taken from the Judiciary Committee and be placed on 2nd reading. Motion requires 3/5 majority vote. Motion **failed** as follows:

Yeas: Ankney, Arntzen, Bean, B. Beck, Bennett, Berry, Blasdel, Boniek, Brown, Butcher, Glaser, Hawk, Hendrick, Himmelberger, Hollandsworth, Hoven, Howard, Ingraham, Jones, Kasten, Kerns, Klock, Lake, MacLaren, McGillvray, McNutt, Mendenhall, Milburn, Miller, More, Morgan, Nooney, O'Hara, Peterson, Randall, Regier, Reichner, Roberts, Roundstone, Sales, Smith, Sonju, Stahl, Steenson, Stoker, Taylor, Vance, Vincent, Wagner, Warburton, Washburn, Welborn, Wiseman.

Total 53

Nays: Augare, Barrett, P. Beck, Becker, Blewett, Boland, Boss Ribs, Caferro, Campbell, Cohenour, Dickenson, Driscoll, Ebinger, Fleming, French, Furey, Getz, Grinde, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Hunter, Jopek, Kottel, MacDonald, Malek, McAlpin, McChesney, McClafferty, Mehlhoff, Menahan, A. Noonan, P. Noonan, Phillips, Pomnichowski, Reinhart, Sands, Sesso, Van Dyk, Villa, Wilmer, Wilson, Mr. Speaker.

Total 45

Excused: Belcourt, Pease-Lopez.

Total 2

Absent or not voting: None.

Total 0

Rep. Peterson moved that **SB 46** be taken from the Judiciary Committee and be placed on 2nd reading at the earliest possible date. Motion requires 3/5 majority vote. Motion **failed** as follows:

Yeas: Ankney, Arntzen, Bean, B. Beck, Bennett, Berry, Blasdel, Boniek, Brown, Butcher, Glaser, Hawk, Hendrick, Himmelberger, Hollandsworth, Hoven, Howard, Ingraham, Jones, Kasten, Kerns, Klock, Lake, MacLaren,

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McGillvray, McNutt, Mendenhall, Milburn, Miller, More, Morgan, Nooney, O'Hara, Peterson, Randall, Regier, Reichner, Roberts, Roundstone, Sales, Smith, Sonju, Stahl, Stoker, Taylor, Vance, Vincent, Wagner, Warburton, Washburn, Welborn.

Total 51

Nays: Augare, Barrett, P. Beck, Becker, Blewett, Boland, Boss Ribs, Caferro, Campbell, Cohenour, Dickenson, Driscoll, Ebinger, Fleming, French, Furey, Getz, Grinde, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Hunter, Jopek, Kottel, MacDonald, Malek, McAlpin, McChesney, McClafferty, Mehlhoff, Menahan, A. Noonan, P. Noonan, Phillips, Pomnichowski, Reinhart, Sands, Sesso, Steenson, Van Dyk, Villa, Wilmer, Wilson, Wiseman, Mr. Speaker.
Total 47

Excused: Belcourt, Pease-Lopez.

Total 2

Absent or not voting: None.

Total 0

Rep. Warburton moved that **SB 406** be taken from the Judiciary Committee and be placed on 2nd reading this the 70th legislative day. Motion requires 3/5 majority vote. Motion **failed** as follows:

Yeas: Ankney, Arntzen, Bean, B. Beck, Bennett, Berry, Blasdel, Boniek, Brown, Butcher, Glaser, Hawk, Hendrick, Himmelberger, Hollandsworth, Hoven, Howard, Ingraham, Jones, Kasten, Kerns, Klock, Lake, MacLaren, McGillvray, McNutt, Mendenhall, Milburn, Miller, More, Morgan, Nooney, O'Hara, Peterson, Randall, Regier, Reichner, Roberts, Roundstone, Sales, Smith, Sonju, Stahl, Stoker, Taylor, Vance, Vincent, Wagner, Warburton, Washburn, Welborn.

Total 51

Nays: Augare, Barrett, P. Beck, Becker, Blewett, Boland, Boss Ribs, Caferro, Campbell, Cohenour, Dickenson, Driscoll, Ebinger, Fleming, French, Furey, Getz, Grinde, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Hunter, Jopek, Kottel, MacDonald, Malek, McAlpin, McChesney, McClafferty, Mehlhoff, Menahan, A. Noonan, P. Noonan, Phillips, Pomnichowski, Reinhart, Sands, Sesso, Steenson, Van Dyk, Villa, Wilmer, Wilson, Wiseman, Mr. Speaker.
Total 47

Excused: Belcourt, Pease-Lopez.

Total 2

Absent or not voting: None.

Total 0

Rep. Boniek moved that **HB 661** be taken from the Judiciary Committee and be placed on 2nd reading this the 70th legislative day. Motion requires 3/5 majority vote. Motion **failed** as follows:

Yeas: Ankney, Arntzen, Bean, B. Beck, Bennett, Berry, Blasdel, Boniek, Brown, Butcher, Glaser, Hawk, Hendrick, Himmelberger, Hollandsworth, Hoven, Howard, Ingraham, Jones, Kasten, Kerns, Klock, Lake, MacLaren, McGillvray, McNutt, Mendenhall, Milburn, Miller, More, Morgan, Nooney, O'Hara, Peterson, Randall, Regier, Reichner, Roberts, Roundstone, Sales, Smith, Sonju, Stahl, Stoker, Taylor, Vance, Vincent, Wagner, Warburton, Washburn, Welborn.

Total 51

Nays: Augare, Barrett, P. Beck, Becker, Blewett, Boland, Boss Ribs, Caferro, Campbell, Cohenour, Dickenson, Driscoll, Ebinger, Fleming, French, Furey, Getz, Grinde, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Hunter,

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Jopek, Kottel, MacDonald, Malek, McAlpin, McChesney, McClafferty, Mehlhoff, Menahan, A. Noonan, P. Noonan, Phillips, Pomnichowski, Reinhart, Sands, Sesso, Steenson, Van Dyk, Villa, Wilmer, Wilson, Wiseman, Mr. Speaker.
Total 47

Excused: Belcourt, Pease-Lopez.
Total 2

Absent or not voting: None.
Total 0

Rep. Wagner moved that **HB 639** be taken from the Judiciary Committee and be placed on 2nd reading this the 70th legislative day. Motion requires 3/5 majority vote. Motion **failed** as follows:

Yeas: Arntzen, Bean, B. Beck, Bennett, Berry, Blasdel, Boniek, Brown, Butcher, Glaser, Hawk, Hendrick, Himmelberger, Hollandsworth, Hoven, Howard, Ingraham, Jones, Kasten, Kerns, Klock, Lake, MacLaren, McGillvray, McNutt, Mendenhall, Milburn, Miller, More, Morgan, O'Hara, Peterson, Randall, Regier, Reichner, Sales, Smith, Sonju, Stahl, Stoker, Taylor, Vance, Van Dyk, Vincent, Wagner, Warburton, Washburn, Mr. Speaker.
Total 48

Nays: Augare, Barrett, P. Beck, Becker, Blewett, Boland, Boss Ribs, Caferro, Campbell, Cohenour, Dickenson, Driscoll, Ebinger, Fleming, French, Furey, Getz, Grinde, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Hunter, Jopek, Kottel, MacDonald, Malek, McAlpin, McChesney, McClafferty, Mehlhoff, Menahan, A. Noonan, P. Noonan, Nooney, Phillips, Pomnichowski, Reinhart, Roberts, Roundstone, Sands, Sesso, Steenson, Villa, Wilmer, Wilson, Wiseman.
Total 48

Excused: Belcourt, Pease-Lopez.
Total 2

Absent or not voting: Ankney, Welborn.
Total 2

Rep. Hollandsworth moved that **HB 334** be taken from the Appropriations Committee and be placed on 2nd reading this the 70th legislative day. Motion requires 3/5 majority vote. Motion **failed** as follows:

Yeas: Ankney, Arntzen, Bean, B. Beck, Bennett, Berry, Blasdel, Boniek, Brown, Butcher, Glaser, Hawk, Hendrick, Himmelberger, Hollandsworth, Hoven, Howard, Ingraham, Jones, Kasten, Kerns, Klock, Lake, MacLaren, McGillvray, McNutt, Mendenhall, Milburn, Miller, More, Morgan, Nooney, O'Hara, Peterson, Randall, Regier, Reichner, Sales, Smith, Sonju, Stahl, Steenson, Stoker, Taylor, Vance, Vincent, Wagner, Warburton, Washburn, Welborn, Mr. Speaker.
Total 51

Nays: Augare, Barrett, P. Beck, Becker, Blewett, Boland, Boss Ribs, Caferro, Campbell, Cohenour, Dickenson, Driscoll, Ebinger, Fleming, French, Furey, Getz, Grinde, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Hunter, Jopek, Kottel, MacDonald, Malek, McAlpin, McChesney, McClafferty, Mehlhoff, Menahan, A. Noonan, P. Noonan, Phillips, Pomnichowski, Reinhart, Roberts, Roundstone, Sands, Sesso, Van Dyk, Villa, Wilmer, Wilson, Wiseman.
Total 47

Excused: Belcourt, Pease-Lopez.
Total 2

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Absent or not voting: None.
Total 0

Rep. Caferro moved that **HB 360** be taken from the Appropriations Committee and be placed on 2nd reading this the 70th legislative day. Motion requires 3/5 majority vote. Motion **failed** as follows:

Yeas: Augare, Barrett, P. Beck, Becker, Blewett, Boland, Boss Ribs, Caferro, Campbell, Cohenour, Dickenson, Driscoll, Ebinger, Fleming, French, Furey, Getz, Grinde, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Hoven, Hunter, Jopek, Kottel, MacDonald, Malek, McAlpin, McChesney, McClafferty, Mehlhoff, Menahan, A. Noonan, P. Noonan, Phillips, Pomnichowski, Reinhart, Roundstone, Sands, Sesso, Steenson, Van Dyk, Villa, Wilmer, Wilson, Wiseman, Mr. Speaker.
Total 49

Nays: Ankney, Arntzen, Bean, B. Beck, Bennett, Berry, Blasdel, Boniek, Brown, Butcher, Glaser, Hawk, Hendrick, Himmelberger, Hollandsworth, Howard, Ingraham, Jones, Kasten, Kerns, Klock, Lake, MacLaren, McGillvray, McNutt, Mendenhall, Milburn, Miller, More, Morgan, Nooney, O'Hara, Peterson, Randall, Regier, Reichner, Roberts, Sales, Smith, Sonju, Stahl, Stoker, Taylor, Vance, Vincent, Wagner, Warburton, Washburn, Welborn.
Total 49

Excused: Belcourt, Pease-Lopez.
Total 2

Absent or not voting: None.
Total 0

Rep. Becker moved that **SB 326** be taken from the Human Services Committee and be placed on 2nd reading this the 70th legislative day. Motion requires 3/5 majority vote. Motion **failed** as follows:

Yeas: Augare, Barrett, P. Beck, Becker, Blewett, Boland, Boss Ribs, Caferro, Campbell, Cohenour, Dickenson, Driscoll, Ebinger, Fleming, French, Furey, Getz, Grinde, Hamilton, Hands, Henry, Hollenbaugh, Hoven, Hunter, Jopek, Kottel, MacDonald, Malek, McAlpin, McChesney, McClafferty, Menahan, Miller, A. Noonan, P. Noonan, Phillips, Pomnichowski, Reinhart, Roundstone, Sands, Sesso, Van Dyk, Villa, Wilmer, Wilson, Wiseman, Mr. Speaker.
Total 47

Nays: Ankney, Arntzen, Bean, B. Beck, Bennett, Berry, Blasdel, Boniek, Brown, Butcher, Glaser, Hawk, Hendrick, Himmelberger, Hiner, Hollandsworth, Howard, Ingraham, Jones, Kasten, Kerns, Klock, Lake, MacLaren, McGillvray, McNutt, Mehlhoff, Mendenhall, Milburn, More, Morgan, Nooney, O'Hara, Peterson, Randall, Regier, Reichner, Roberts, Sales, Smith, Sonju, Stahl, Steenson, Stoker, Taylor, Vance, Vincent, Wagner, Warburton, Washburn, Welborn.
Total 51

Excused: Belcourt, Pease-Lopez.
Total 2

Absent or not voting: None.
Total 0

REPORTS OF STANDING COMMITTEES

NATURAL RESOURCES (Milburn, Chairman):

3/30/2009

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SB 76, be concurred in. Report adopted.
SB 136, be concurred in. Report adopted.
SB 193, be concurred in. Report adopted.
SB 246, be amended as follows:

1. Title, line 5.
Strike: "EACH"
Insert: "THE MAIN"

2. Page 1, line 11.
Strike: "an"
Insert: "a permitted"

3. Page 1, line 12.
Strike: "each"
Insert: "the main"

And, as amended, be concurred in. Report adopted.

SB 297, be concurred in. Report adopted.
SB 360, be concurred in. Report adopted.

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Majority Leader Campbell moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Villa in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 187 - Representative Taylor moved **HB 187** do pass. Motion carried as follows:

Yeas: Ankney, Arntzen, Augare, Bean, B. Beck, P. Beck, Bennett, Berry, Blasdel, Blewett, Boland, Boniek, Brown, Butcher, Caferro, Driscoll, Ebinger, French, Getz, Glaser, Grinde, Hawk, Hendrick, Himmelberger, Hiner, Hollandsworth, Hollenbaugh, Hoven, Howard, Ingraham, Jones, Jopek, Kasten, Kerns, Klock, Kottel, Lake, MacDonald, MacLaren, McChesney, McClafferty, McGillvray, McNutt, Mehlhoff, Menahan, Mendenhall, Milburn, Miller, More, Morgan, A. Noonan, Nooney, O'Hara, Peterson, Phillips, Pomnichowski, Randall, Regier, Reichner, Reinhart, Roberts, Roundstone, Sands, Smith, Sonju, Stahl, Steenson, Stoker, Taylor, Vance, Villa, Vincent, Wagner, Warburton, Washburn, Welborn, Wilson, Wiseman, Mr. Speaker.
Total 79

Nays: Barrett, Becker, Boss Ribs, Campbell, Cohenour, Dickenson, Fleming, Furey, Hamilton, Hands, Henry, Hunter, Malek, McAlpin, P. Noonan, Pease-Lopez, Sales, Sesso, Van Dyk, Wilmer.
Total 20

Excused: Belcourt.
Total 1

Absent or not voting: None.

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Total 0

SB 164 - Representative Sales moved **SB 164** be concurred in. Motion carried as follows:

Yeas: Ankney, Arntzen, Augare, Barrett, Bean, B. Beck, P. Beck, Becker, Bennett, Berry, Blasdel, Blewett, Boland, Boniek, Boss Ribs, Brown, Butcher, Caferro, Campbell, Cohenour, Dickenson, Driscoll, Ebinger, Fleming, French, Furey, Getz, Glaser, Grinde, Hamilton, Hands, Hawk, Hendrick, Henry, Himmelberger, Hiner, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jones, Jopek, Kasten, Kerns, Klock, Kottel, Lake, MacDonald, Malek, McAlpin, McChesney, McClafferty, McGillvray, McNutt, Mehlhoff, Menahan, Mendenhall, Milburn, Miller, More, Morgan, A. Noonan, P. Noonan, Nooney, O'Hara, Pease-Lopez, Peterson, Phillips, Pomnichowski, Randall, Regier, Reichner, Reinhart, Roberts, Roundstone, Sales, Sands, Sesso, Smith, Sonju, Stahl, Steenson, Stoker, Taylor, Vance, Van Dyk, Villa, Vincent, Wagner, Warburton, Washburn, Welborn, Wilmer, Wilson, Wiseman, Mr. Speaker.

Total 98

Nays: Belcourt.

Total 1

Excused: None.

Total 0

Absent or not voting: MacLaren.

Total 1

SB 174 - Representative Arntzen moved **SB 174** be concurred in. Motion carried as follows:

Yeas: Ankney, Arntzen, Augare, Barrett, Bean, B. Beck, P. Beck, Becker, Belcourt, Bennett, Berry, Blasdel, Blewett, Boland, Boss Ribs, Brown, Butcher, Caferro, Campbell, Cohenour, Dickenson, Driscoll, Ebinger, Fleming, French, Furey, Getz, Glaser, Grinde, Hamilton, Hands, Hawk, Hendrick, Henry, Himmelberger, Hiner, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jones, Jopek, Kasten, Kerns, Kottel, Lake, MacDonald, MacLaren, Malek, McAlpin, McChesney, McClafferty, McNutt, Mehlhoff, Menahan, Mendenhall, Milburn, Miller, Morgan, A. Noonan, P. Noonan, Nooney, O'Hara, Pease-Lopez, Peterson, Phillips, Pomnichowski, Randall, Regier, Reichner, Reinhart, Roberts, Roundstone, Sands, Sesso, Smith, Sonju, Stahl, Steenson, Stoker, Taylor, Vance, Van Dyk, Villa, Vincent, Warburton, Washburn, Welborn, Wilmer, Wilson, Wiseman, Mr. Speaker.

Total 94

Nays: Boniek, McGillvray, More, Sales, Wagner.

Total 5

Excused: None.

Total 0

Absent or not voting: Klock.

Total 1

SB 202 - Representative Hendrick moved **SB 202** be concurred in. Motion carried as follows:

Yeas: Arntzen, Augare, Barrett, Bean, B. Beck, P. Beck, Becker, Belcourt, Bennett, Berry, Blasdel, Blewett, Boland, Boniek, Boss Ribs, Brown, Butcher, Caferro, Campbell, Cohenour, Dickenson, Ebinger, Fleming, Furey, Getz, Glaser, Grinde, Hamilton, Hands, Hawk, Hendrick, Henry, Himmelberger, Hiner, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jones, Jopek, Kasten, Kerns, Klock, Kottel, Lake, MacDonald, MacLaren,

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Malek, McAlpin, McChesney, McClafferty, McGillvray, McNutt, Mehlhoff, Menahan, Mendenhall, Milburn, Miller, More, Morgan, A. Noonan, P. Noonan, Nooney, O'Hara, Pease-Lopez, Peterson, Phillips, Pomnichowski, Randall, Regier, Reichner, Reinhart, Roberts, Roundstone, Sales, Sands, Sesso, Smith, Sonju, Steenson, Stoker, Taylor, Vance, Van Dyk, Villa, Wagner, Warburton, Washburn, Welborn, Wilmer, Wilson, Wiseman, Mr. Speaker.
Total 95

Nays: Ankney, Driscoll, French, Stahl, Vincent.
Total 5

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 247 - Representative B. Beck moved **SB 247** be concurred in. Motion carried as follows:

Yeas: Ankney, Arntzen, Augare, Barrett, Bean, B. Beck, P. Beck, Becker, Belcourt, Berry, Blasdel, Blewett, Boland, Boniek, Boss Ribs, Butcher, Caferro, Campbell, Cohenour, Dickenson, Driscoll, Ebinger, Fleming, French, Furey, Getz, Glaser, Grinde, Hamilton, Hands, Hendrick, Henry, Himmelberger, Hiner, Hollandsworth, Hollenbaugh, Howard, Hunter, Ingraham, Jones, Kasten, Klock, Kottel, MacDonald, Malek, McAlpin, McChesney, McClafferty, McGillvray, Mehlhoff, Menahan, Mendenhall, Milburn, More, A. Noonan, P. Noonan, Nooney, O'Hara, Pease-Lopez, Phillips, Pomnichowski, Randall, Regier, Reichner, Reinhart, Roberts, Roundstone, Sales, Sands, Sesso, Smith, Sonju, Stahl, Steenson, Stoker, Taylor, Vance, Van Dyk, Villa, Vincent, Wagner, Warburton, Washburn, Welborn, Wilmer, Wilson, Wiseman.
Total 87

Nays: Bennett, Brown, Hawk, Hoven, Jopek, Kerns, Lake, MacLaren, McNutt, Miller, Peterson.
Total 11

Excused: None.
Total 0

Absent or not voting: Morgan, Mr. Speaker.
Total 2

SB 299 - Representative O'Hara moved **SB 299** be concurred in. Motion carried as follows:

Yeas: Arntzen, Augare, Barrett, Bean, B. Beck, P. Beck, Becker, Belcourt, Blewett, Boland, Boss Ribs, Butcher, Caferro, Campbell, Cohenour, Dickenson, Driscoll, Ebinger, Fleming, French, Furey, Getz, Glaser, Grinde, Hamilton, Hands, Henry, Himmelberger, Hiner, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jones, Jopek, Klock, Kottel, Lake, MacDonald, MacLaren, Malek, McAlpin, McChesney, McClafferty, McGillvray, McNutt, Mehlhoff, Menahan, Milburn, Miller, Morgan, A. Noonan, P. Noonan, Nooney, O'Hara, Pease-Lopez, Peterson, Phillips, Pomnichowski, Reinhart, Roberts, Roundstone, Sands, Sesso, Steenson, Stoker, Taylor, Van Dyk, Villa, Washburn, Wilmer, Wilson, Wiseman, Mr. Speaker.
Total 75

Nays: Ankney, Bennett, Berry, Blasdel, Boniek, Brown, Hawk, Hendrick, Hollandsworth, Kasten, Kerns, Mendenhall, More, Randall, Regier, Reichner, Sales, Smith, Sonju, Stahl, Vance, Vincent, Wagner, Warburton, Welborn.
Total 25

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Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 305 - Representative MacLaren introduced **SB 305**.

SB 305 - Representative Reichner moved **SB 305**, second reading copy, be amended as follows:

1. Title, line 10.

Strike: "76-3-608,"

2. Page 4, line 14 through page 5, line 30.

Strike: section 3 in its entirety

Renumber: subsequent sections

Amendment adopted as follows:

Yeas: Ankney, Arntzen, Augare, Barrett, Bean, B. Beck, Becker, Bennett, Berry, Blasdel, Blewett, Boland, Boniek, Boss Ribs, Brown, Butcher, Caferro, Campbell, Cohenour, Driscoll, Ebinger, Fleming, French, Furey, Getz, Glaser, Grinde, Hamilton, Hands, Hawk, Hendrick, Henry, Himmelberger, Hiner, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jones, Jopek, Kasten, Kerns, Klock, Kottel, Lake, MacDonald, MacLaren, Malek, McAlpin, McChesney, McClafferty, McGillvray, McNutt, Mehlhoff, Menahan, Mendenhall, Milburn, Miller, More, Morgan, A. Noonan, P. Noonan, Nooney, O'Hara, Peterson, Phillips, Randall, Regier, Reichner, Reinhart, Roberts, Roundstone, Sales, Sands, Sesso, Smith, Sonju, Steenson, Stoker, Taylor, Vance, Van Dyk, Villa, Vincent, Warburton, Washburn, Welborn, Wilmer, Wilson, Mr. Speaker.

Total 92

Nays: Pomnichowski, Stahl, Wagner, Wiseman.

Total 4

Excused: Belcourt, Pease-Lopez.

Total 2

Absent or not voting: P. Beck, Dickenson.

Total 2

SB 305 - Representative MacLaren moved **SB 305**, as amended, be concurred in. Motion carried as follows:

Yeas: Ankney, Arntzen, Augare, Barrett, Bean, P. Beck, Becker, Belcourt, Bennett, Berry, Blewett, Boland, Boniek, Boss Ribs, Brown, Butcher, Caferro, Campbell, Cohenour, Dickenson, Ebinger, Fleming, French, Furey, Getz, Glaser, Hamilton, Hands, Hawk, Hendrick, Henry, Himmelberger, Hiner, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jones, Jopek, Kasten, Kerns, Klock, Kottel, Lake, MacLaren, Malek, McAlpin, McChesney, McClafferty, McGillvray, McNutt, Mehlhoff, Menahan, Milburn, Miller, More, Morgan, A. Noonan, P. Noonan, Nooney, O'Hara, Pease-Lopez, Phillips, Pomnichowski, Randall, Regier, Reichner, Reinhart, Roberts, Roundstone, Sands, Sesso, Smith, Sonju, Stahl, Steenson, Stoker, Taylor, Vance, Van Dyk, Villa, Vincent, Warburton, Washburn, Welborn, Wilmer, Wilson, Wiseman.

Total 90

Nays: Blasdel, Driscoll, Grinde, MacDonald, Mendenhall, Sales, Wagner, Mr. Speaker.

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Total 8

Excused: None.

Total 0

Absent or not voting: B. Beck, Peterson.

Total 2

SB 306 - Representative Vance moved **SB 306** be concurred in. Motion carried as follows:

Yeas: Ankney, Arntzen, Bean, B. Beck, P. Beck, Belcourt, Bennett, Berry, Blasdel, Boniek, Brown, Butcher, Ebinger, French, Getz, Glaser, Hawk, Hendrick, Himmelberger, Hollandsworth, Howard, Hunter, Jones, Kasten, Kerns, Klock, Kottel, Lake, McChesney, McNutt, Mendenhall, Milburn, More, Morgan, P. Noonan, Nooney, O'Hara, Pease-Lopez, Randall, Regier, Reichner, Sales, Smith, Sonju, Stahl, Steenson, Stoker, Taylor, Vance, Vincent, Washburn, Welborn.

Total 52

Nays: Augare, Barrett, Becker, Blewett, Boland, Boss Ribs, Caferro, Campbell, Cohenour, Dickenson, Driscoll, Fleming, Furey, Grinde, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Hoven, Ingraham, Jopek, MacDonald, MacLaren, Malek, McAlpin, McClafferty, Mehlhoff, Menahan, Miller, A. Noonan, Peterson, Phillips, Pomnichowski, Reinhart, Roberts, Roundstone, Sands, Sesso, Van Dyk, Villa, Wagner, Warburton, Wilmer, Wilson, Wiseman, Mr. Speaker.

Total 47

Excused: None.

Total 0

Absent or not voting: McGillvray.

Total 1

SB 310 - Representative MacLaren moved **SB 310** be concurred in. Motion carried as follows:

Yeas: Ankney, Arntzen, Augare, Barrett, Bean, B. Beck, P. Beck, Becker, Belcourt, Bennett, Berry, Blasdel, Blewett, Boland, Boniek, Boss Ribs, Brown, Butcher, Caferro, Campbell, Cohenour, Dickenson, Ebinger, Fleming, French, Furey, Getz, Glaser, Grinde, Hamilton, Hands, Hawk, Hendrick, Henry, Himmelberger, Hiner, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Jones, Jopek, Kasten, Klock, Kottel, Lake, MacDonald, MacLaren, Malek, McAlpin, McChesney, McClafferty, McNutt, Mehlhoff, Menahan, Mendenhall, Milburn, Miller, More, Morgan, A. Noonan, P. Noonan, Nooney, O'Hara, Pease-Lopez, Randall, Regier, Reichner, Reinhart, Roberts, Roundstone, Sales, Sands, Sesso, Smith, Sonju, Stahl, Steenson, Stoker, Taylor, Vance, Van Dyk, Villa, Vincent, Wagner, Warburton, Washburn, Welborn, Wilson.

Total 90

Nays: Driscoll, Kerns, Peterson, Phillips, Pomnichowski, Wilmer, Wiseman, Mr. Speaker.

Total 8

Excused: None.

Total 0

Absent or not voting: Ingraham, McGillvray.

Total 2

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SB 330 - Representative Campbell moved consideration of **SB 330** be passed for the day. Motion carried.

SB 348 - Representative Himmelberger moved **SB 348** be concurred in. Requires 2/3 adoption of entire Legislature. Motion carried as follows:

Yeas: Ankney, Arntzen, Augare, Bean, P. Beck, Becker, Bennett, Berry, Blasdel, Boniek, Boss Ribs, Brown, Caferro, Campbell, Dickenson, Ebinger, Fleming, French, Hamilton, Hands, Hendrick, Henry, Himmelberger, Howard, Ingraham, Kasten, Klock, MacDonald, MacLaren, Malek, McChesney, McClafferty, McGillvray, McNutt, Mendenhall, Milburn, More, A. Noonan, P. Noonan, Nooney, O'Hara, Pease-Lopez, Peterson, Phillips, Randall, Reichner, Reinhart, Sales, Sands, Sesso, Smith, Taylor, Vance, Van Dyk, Vincent, Warburton, Washburn, Welborn, Wilmer, Wilson, Wiseman.

Total 61

Nays: Barrett, B. Beck, Belcourt, Blewett, Boland, Butcher, Cohenour, Driscoll, Getz, Glaser, Grinde, Hawk, Hiner, Hollandsworth, Hollenbaugh, Hoven, Hunter, Jones, Jopek, Kerns, Kottel, Lake, McAlpin, Mehlhoff, Menahan, Miller, Morgan, Pomnichowski, Regier, Roberts, Roundstone, Sonju, Stahl, Steenson, Stoker, Villa, Wagner, Mr. Speaker.

Total 38

Excused: None.

Total 0

Absent or not voting: Furey.

Total 1

Mr. Speaker resumed the chair.

SB 351 - Representative Reichner moved **SB 351** be concurred in. Motion carried as follows:

Yeas: Ankney, Arntzen, Augare, Barrett, Bean, P. Beck, Becker, Belcourt, Bennett, Berry, Blasdel, Blewett, Boland, Boniek, Boss Ribs, Brown, Butcher, Caferro, Campbell, Cohenour, Dickenson, Driscoll, Ebinger, Fleming, French, Furey, Getz, Glaser, Grinde, Hamilton, Hendrick, Henry, Himmelberger, Hiner, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jones, Jopek, Kerns, Klock, Kottel, Lake, MacDonald, MacLaren, Malek, McAlpin, McChesney, McClafferty, McGillvray, McNutt, Mehlhoff, Menahan, Mendenhall, Milburn, Miller, More, Morgan, A. Noonan, P. Noonan, Nooney, O'Hara, Pease-Lopez, Peterson, Phillips, Pomnichowski, Randall, Regier, Reichner, Roberts, Roundstone, Sales, Sands, Sesso, Smith, Sonju, Stahl, Steenson, Stoker, Taylor, Vance, Van Dyk, Villa, Vincent, Wagner, Warburton, Washburn, Welborn, Wilmer, Wilson, Wiseman, Mr. Speaker.

Total 95

Nays: B. Beck, Hawk, Kasten.

Total 3

Excused: None.

Total 0

Absent or not voting: Hands, Reinhart.

Total 2

SB 399 - Representative P. Noonan moved **SB 399** be concurred in. Motion carried as follows:

Yeas: Ankney, Arntzen, Augare, Barrett, B. Beck, P. Beck, Becker, Belcourt, Bennett, Berry, Blewett, Boland, Boss

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Ribs, Brown, Caferro, Campbell, Cohenour, Dickenson, Driscoll, Ebinger, Fleming, French, Furey, Glaser, Grinde, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Hoven, Hunter, Ingraham, Jones, Jopek, Klock, Kottel, MacDonald, MacLaren, Malek, McAlpin, McChesney, McClafferty, McGillvray, McNutt, Mehlhoff, Menahan, Mendenhall, Milburn, Miller, A. Noonan, P. Noonan, Nooney, O'Hara, Pease-Lopez, Peterson, Phillips, Pomnichowski, Regier, Reichner, Reinhart, Roberts, Roundstone, Sands, Sesso, Smith, Stahl, Steenson, Stoker, Vance, Van Dyk, Villa, Wagner, Warburton, Washburn, Welborn, Wilmer, Wilson, Wiseman, Mr. Speaker.

Total 80

Nays: Bean, Blasdel, Boniek, Butcher, Hawk, Hendrick, Howard, Kasten, Kerns, Lake, More, Morgan, Randall, Sales, Taylor, Vincent.

Total 16

Excused: None.

Total 0

Absent or not voting: Getz, Himmelberger, Hollandsworth, Sonju.

Total 4

SB 403 - Representative A. Noonan moved **SB 403** be concurred in. Motion carried as follows:

Yeas: Ankney, Arntzen, Augare, Barrett, Bean, B. Beck, Belcourt, Bennett, Berry, Blasdel, Boland, Brown, Butcher, Campbell, French, Furey, Getz, Glaser, Hawk, Hendrick, Himmelberger, Hiner, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jones, Jopek, Kasten, Kerns, Klock, Lake, MacLaren, McAlpin, McChesney, McGillvray, McNutt, Menahan, Mendenhall, Milburn, Miller, More, Morgan, A. Noonan, P. Noonan, Nooney, O'Hara, Pease-Lopez, Peterson, Randall, Regier, Reichner, Roberts, Sales, Sands, Sesso, Smith, Sonju, Stahl, Steenson, Stoker, Taylor, Vance, Villa, Vincent, Wagner, Warburton, Washburn, Welborn, Mr. Speaker.

Total 72

Nays: P. Beck, Becker, Blewett, Boniek, Boss Ribs, Caferro, Cohenour, Dickenson, Driscoll, Ebinger, Fleming, Grinde, Hamilton, Hands, Henry, Kottel, MacDonald, Malek, McClafferty, Mehlhoff, Phillips, Pomnichowski, Reinhart, Roundstone, Van Dyk, Wilmer, Wilson, Wiseman.

Total 28

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 371 - Representative Hunter moved **SB 371** be concurred in. Motion carried as follows:

Yeas: Ankney, Arntzen, Bean, B. Beck, P. Beck, Bennett, Berry, Blasdel, Boniek, Brown, Butcher, Ebinger, Fleming, French, Furey, Glaser, Hawk, Hendrick, Himmelberger, Hiner, Hollandsworth, Hoven, Howard, Hunter, Ingraham, Jones, Kasten, Kerns, Klock, Lake, MacLaren, McChesney, McGillvray, McNutt, Menahan, Mendenhall, Milburn, Miller, More, Morgan, Nooney, O'Hara, Pease-Lopez, Randall, Regier, Reichner, Roberts, Sales, Smith, Sonju, Stoker, Taylor, Vance, Vincent, Wagner, Warburton, Washburn, Welborn.

Total 58

Nays: Augare, Barrett, Becker, Belcourt, Blewett, Boland, Boss Ribs, Caferro, Campbell, Cohenour, Dickenson, Driscoll, Getz, Grinde, Hamilton, Hands, Henry, Hollenbaugh, Jopek, Kottel, MacDonald, Malek, McAlpin, McClafferty, Mehlhoff, A. Noonan, P. Noonan, Peterson, Phillips, Pomnichowski, Reinhart, Roundstone, Sands,

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Sesso, Stahl, Steenson, Van Dyk, Villa, Wilmer, Wilson, Wiseman, Mr. Speaker.
Total 42

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 404 - Representative O'Hara moved **SB 404** be concurred in. Motion carried as follows:

Yeas: Ankney, Arntzen, Augare, Barrett, Bean, B. Beck, P. Beck, Belcourt, Bennett, Berry, Blasdel, Blewett, Boland, Boniek, Boss Ribs, Brown, Butcher, Caferro, Campbell, Cohenour, Dickenson, Driscoll, Ebinger, Fleming, French, Furey, Getz, Glaser, Grinde, Hamilton, Hands, Hawk, Hendrick, Henry, Himmelberger, Hiner, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jones, Jopek, Kasten, Kerns, Klock, Kottel, Lake, MacDonald, MacLaren, Malek, McAlpin, McChesney, McClafferty, McGillvray, McNutt, Mehlhoff, Menahan, Mendenhall, Milburn, Miller, More, Morgan, A. Noonan, P. Noonan, Nooney, O'Hara, Pease-Lopez, Peterson, Phillips, Pomnichowski, Randall, Regier, Reichner, Reinhart, Roberts, Roundstone, Sales, Sands, Sesso, Smith, Sonju, Stahl, Steenson, Stoker, Taylor, Vance, Van Dyk, Villa, Vincent, Warburton, Washburn, Welborn, Wilmer, Wilson, Wiseman, Mr. Speaker.
Total 98

Nays: Becker, Wagner.
Total 2

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 449 - Representative A. Noonan moved **SB 449** be concurred in. Motion carried as follows:

Yeas: Ankney, Arntzen, Augare, Barrett, Bean, B. Beck, P. Beck, Becker, Belcourt, Bennett, Berry, Blasdel, Blewett, Boland, Boss Ribs, Brown, Butcher, Caferro, Campbell, Cohenour, Driscoll, Ebinger, Fleming, French, Furey, Getz, Glaser, Grinde, Hamilton, Hands, Hawk, Hendrick, Henry, Himmelberger, Hiner, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jones, Jopek, Kasten, Kerns, Klock, Kottel, Lake, MacDonald, MacLaren, Malek, McAlpin, McChesney, McClafferty, McGillvray, McNutt, Mehlhoff, Menahan, Mendenhall, Milburn, Miller, More, Morgan, A. Noonan, P. Noonan, Nooney, O'Hara, Pease-Lopez, Peterson, Phillips, Pomnichowski, Randall, Regier, Reichner, Reinhart, Roberts, Roundstone, Sales, Sands, Sesso, Smith, Sonju, Stahl, Steenson, Stoker, Taylor, Vance, Van Dyk, Villa, Vincent, Wagner, Warburton, Washburn, Welborn, Wilmer, Wilson, Mr. Speaker.
Total 97

Nays: Boniek, Dickenson, Wiseman.
Total 3

Excused: None.
Total 0

Absent or not voting: None.

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Total 0

SJR 15 - Representative Cohenour moved **SJR 15** be concurred in. Motion carried as follows:

Yeas: Ankney, Arntzen, Augare, Barrett, Bean, B. Beck, P. Beck, Becker, Belcourt, Bennett, Berry, Blasdel, Blewett, Boland, Boniek, Boss Ribs, Brown, Butcher, Caferro, Campbell, Cohenour, Dickenson, Driscoll, Ebinger, Fleming, French, Furey, Getz, Glaser, Grinde, Hamilton, Hands, Hawk, Hendrick, Himmelberger, Hiner, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jones, Kasten, Kerns, Klock, Kottel, Lake, MacDonald, MacLaren, Malek, McAlpin, McChesney, McClafferty, McGillvray, McNutt, Mehlhoff, Menahan, Mendenhall, Milburn, Miller, More, Morgan, P. Noonan, Nooney, O'Hara, Pease-Lopez, Peterson, Phillips, Pomnichowski, Randall, Regier, Reichner, Reinhart, Roberts, Sales, Sesso, Smith, Sonju, Stahl, Steenson, Stoker, Taylor, Vance, Van Dyk, Villa, Vincent, Wagner, Warburton, Washburn, Welborn, Wilmer, Wilson, Wiseman, Mr. Speaker.

Total 95

Nays: Henry, Jopek, A. Noonan, Roundstone, Sands.

Total 5

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 678 - Representative Campbell moved **HB 678** be adopted. Motion carried as follows:

Yeas: Arntzen, Augare, Barrett, Becker, Blewett, Boland, Boss Ribs, Brown, Campbell, Cohenour, Dickenson, Driscoll, Fleming, French, Furey, Getz, Glaser, Grinde, Hamilton, Hands, Hendrick, Henry, Himmelberger, Hiner, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Jones, Klock, Kottel, MacDonald, MacLaren, Malek, McAlpin, McChesney, McClafferty, McNutt, Mehlhoff, Menahan, Milburn, Miller, More, Morgan, A. Noonan, P. Noonan, Nooney, O'Hara, Peterson, Phillips, Pomnichowski, Reichner, Reinhart, Roberts, Roundstone, Sands, Sesso, Smith, Steenson, Stoker, Taylor, Vance, Van Dyk, Villa, Washburn, Welborn, Wilmer, Wilson, Wiseman, Mr. Speaker.

Total 71

Nays: Ankney, Bean, B. Beck, Bennett, Berry, Blasdel, Boniek, Butcher, Caferro, Hawk, Ingraham, Jopek, Kasten, Kerns, Lake, McGillvray, Mendenhall, Randall, Regier, Sales, Stahl, Vincent, Wagner, Warburton.

Total 24

Excused: Belcourt, Pease-Lopez.

Total 2

Absent or not voting: P. Beck, Ebinger, Sonju.

Total 3

Majority Leader Campbell moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the chair. Chairman Bergren moved the Committee of the Whole report be adopted. Report adopted as follows:

Yeas: Ankney, Arntzen, Augare, Barrett, Bean, B. Beck, Becker, Berry, Blasdel, Blewett, Boland, Brown, Butcher, Caferro, Campbell, Cohenour, Dickenson, Driscoll, Ebinger, Fleming, French, Furey, Getz, Glaser, Grinde,

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Hamilton, Hands, Hendrick, Henry, Himmelberger, Hiner, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jones, Jopek, Kasten, Kerns, Klock, Kottel, Lake, MacDonald, MacLaren, Malek, McAlpin, McChesney, McClafferty, McNutt, Mehlhoff, Menahan, Milburn, More, Morgan, A. Noonan, P. Noonan, Nooney, O'Hara, Peterson, Phillips, Pomnichowski, Regier, Reichner, Reinhart, Roberts, Roundstone, Sands, Sesso, Smith, Sonju, Stahl, Steenson, Stoker, Taylor, Van Dyk, Villa, Vincent, Wagner, Washburn, Welborn, Wilmer, Wilson, Wiseman, Mr. Speaker.

Total 86

Nays: P. Beck, Bennett, Boniek, Boss Ribs, Hawk, McGillvray, Mendenhall, Miller, Sales, Vance, Warburton.

Total 11

Excused: Belcourt, Pease-Lopez.

Total 2

Absent or not voting: Randall.

Total 1

MOTIONS

Rep. Campbell moved that the Speaker be authorized to appoint a conference committee on **SB 108** and request the senate to appoint a like committee.

Senate Appoints:

Sen. McGee, Chair

Sen. Zinke

Sen. Jent

The Speaker Appoints:

Rep. Menahan, Vice-Chair

Rep. Kottel

Rep. Stoker

Rep. Kerns

Rep. Campbell moved that the Speaker be authorized to appoint a conference committee on **SB 73** and request the senate to appoint a like committee.

Senate Appoints:

Sen. Hawks, Chair

Sen. Zinke

Sen. Hinkle

The Speaker Appoints:

Rep. Pomnichowski, Vice-Chair

Rep. Ebinger

Rep. Vance

Rep. Sonju

Rep. Campbell moved that the Speaker be authorized to appoint a FREE conference committee on **SB 79** and request the senate to appoint a like committee.

Senate Appoints:

Sen. Juneau, Chair

Sen. Liable

Sen. Murphy

The Speaker Appoints:

Rep. Sands, Vice-Chair

Rep. Becker

Rep. Smith

Rep. Hendrick

Representative Campbell moved that the House be adjourned reconvene at 12:00 p.m., Tuesday, March 31, 2009. Motion carried.

DAVE HUNTER

BOB BERGREN

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Chief Clerk of the House

Speaker of the House